



U.S. Department of Veterans Affairs Board of Veterans' Appeals

Delayed Notification November 2021

Overview

The Board of Veterans' Appeals (Board) is experiencing delays in providing Veterans and their representatives notice of their hearings, decisions, and other mailed correspondence. As a result of the COVID-19 pandemic, the Board transitioned from in-house mailing to mailing through the Government Printing Office (GPO). GPO is operating with a significant delay in printing and shipping correspondence due to staffing shortages. This delay has impacted the Board's ability to mail correspondence in a timely manner. The Board is currently working to put processes in place to ensure Veterans and their representatives receive timely correspondence, including notice of decisions and hearings. Additionally, impacted Veterans are invited to request that the Board consider a previous submission that was not addressed or reconsider a determination that a previous submission was untimely.

We are closely monitoring the backlog at GPO and will continue putting new and improved processes in place to ensure Veterans are receiving notice of their Board decisions in a timely fashion.

Hearings

For Veterans: The Board is currently working to call, email and send a letter to every Veteran scheduled for a hearing in front of a Veterans Law Judge (VLJ). We are working to provide as much notice as possible, but we expect hearing scheduling notices will continue to be delayed. It is very important that you let us know as quickly as possible if you have good cause to postpone your hearing.

For Representatives: The Board requests that you access your hearing schedule in Caseflow. Please reach out to the Veterans on your schedule to ensure the Veteran has been made aware of their scheduled hearing. The Board's hearing team will also be emailing veterans service officers (VSOs) and attorneys with notices of scheduled hearings.

Decisions

For Veterans: We know Veterans are waiting for their decisions and we apologize for the additional delay. If the status of your appeal on VA.gov reflects that the Board has issued a decision but you have not yet received a decision in the mail, please reach out to your representative, if you have one, as they may be able to electronically access

your decision for you. If not, we are working as quickly as possible to get the decision mailed to you.

For Representatives: If VA.gov or Caseflow indicate that a Board decision has been issued and you have access to the Veterans Benefits Management System (VBMS), please consider obtaining a copy of the decision from VBMS to provide to your client and advise on next steps.

Reconsideration of Previous Submissions

If you believe that the Board's failure to address a prior submission or determination that a submission was untimely was a result of the delay in the mailing of correspondence or notice to you or your representative, you may ask the Board to reconsider its determination. Please indicate in your correspondence that you are submitting a request for reconsideration/ recalculation of a timeliness determination due to the mail delay. You are encouraged to submit any evidence, including a statement, relevant to the mailing date of the Board correspondence or notice at issue.

Please note: If you receive Board correspondence requesting a response within a certain amount of time, please provide the requested response, even if the deadline is soon approaching or has recently passed. The Board is taking steps to allow for additional time to receive and address such responses, when permitted under the law. Additionally, in some instances, the Board is permitted to grant a good cause extension to accept certain filings.

For additional assistance

- VSOs, Private attorneys, or agent advocates should contact their Information Security Officer or local Change Management Agent to initiate Caseflow access through updates to existing Common Security Employee Manager (CSEM) permissions. If additional assistance is required, please reach out to Marty Caraway at martin.caraway@va.gov
- If you would like to check the status of your appeal including if a hearing has been scheduled or a decision has been issued, please email boardcustomerservice@va.gov.